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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

TASH HEPTING, GREGORY HICKS, CAROLYN JEWEL and ERIC KNUTZEN on Behalf of Themselves and All Others Similarly Situated, Plaintiffs, v. AT&T CORP., et al., Defendants.	CASE NO. CV-06-0672-VRW NOTICE OF MOTION AND MOTION OF CNET NEWS.COM AND CALIFORNIA FIRST AMENDMENT COALITION FOR LEAVE TO FILE BRIEF AS AMICI CURIAE Date: June 23, 2006 Time: 9:30 AM Place: Courtroom 6, 17th Floor (Hon. Vaugn R. Walker) Complaint Filed: January 31, 2006

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE that CNET News.com ("CNET") and the California First Amendment Coalition ("CFAC") hereby move the Court, pursuant to Civil Local Rule 7-11, for leave to appear and file the accompanying Brief of Amici Curiae. This Motion is based on this Notice of Motion and Motion, the proposed amicus brief submitted herewith, the proposed order submitted herewith, on the declarations of Roger Myers submitted herewith, on the pleadings and papers on file herein, and such other argument and evidence as may be presented to the Court.

Proposed amicus CNET News.com is a news organization, and proposed amicus CFAC is a public interest organization dedicated to protecting the public's right of access to public records. CNET and CFAC submit their brief because they "ha[ve] 'unique information or perspective that

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can help the court beyond the help that the lawyers for the parties are able to provide.'" *Sonoma Falls Developers, LLC v. Nevada Gold & Casinos, Inc.*, 272 F.Supp.2d 919, 925 (N.D. Cal. 2003) (quoting *Cobell v. Norton*, 246 F. Supp. 2d 59, 62 (D. D.C. 2003) (internal citation omitted)). As a gatherer and disseminator of news, CNET can offer its perspective as the public's surrogate with respect to the right to access court records. Similarly, because of its mission to protect access to public records, CFAC is in a unique position to understand the ramifications that the Court's decision will have on the public.

As set forth in the Declaration of Roger Myers submitted herewith, CNET and CFAC sought consent to file his papers from counsel for both the plaintiffs and the defendants. Counsel for the plaintiffs consented to the filing of the amicus brief, while counsel for the defendants did not. *See* Declaration of Roger Myers at ¶¶ 2-3.

For the foregoing reasons, CNET and CFAC respectfully request that the Court grant his motion and accept the accompanying Brief of Amici Curiae.

Dated: June 21, 2006

HOLME ROBERTS & OWEN LLP

By: /s/

Roger Myers
Attorneys for CNET News.com and the California First Amendment Coalition